

**AGENDA**  
**TEXAS BOARD OF PROFESSIONAL ENGINEERS**  
**REGULAR QUARTERLY BOARD MEETING**  
**1917 SOUTH INTERSTATE 35**  
**AUSTIN, TX 78741**  
**NOVEMBER 29, 2012 – 10:30 AM**

**Call to Order.** (G. Kemble Bennett, Ph.D., P.E., Presiding Officer)

1. Roll Call and Welcome Visitors..... G. Kemble Bennett, Ph.D., P.E.
2. Public Comment..... G. Kemble Bennett, Ph.D., P.E.
3. Consent Agenda ..... G. Kemble Bennett, Ph.D., P.E.

**(The following items may be acted upon under Consent Agenda and are marked with an asterisk\* on the Regular Quarterly Board Meeting Agenda)**

*(Motion)*

- June 12, 2012, TBPE/TBAE Task Force Minutes (**See agenda item # 5**)
- August 15, 2012, Licensing Committee Minutes (**See agenda item # 6**)
- August 16, 2012, Policy Advisory Opinion Committee Minutes ( **See agenda item #7**)
- August 16, 2012, Legislative Issues Committee Minutes (**See agenda item#8**)
- August 16, 2012, Enforcement Committee Minutes (**See agenda item #9**)
- August 16, 2012, Nominating Committee Minutes (**See agenda item #10**)
- August 16, 2012, General Issues Committee Minutes (**See agenda item #11**)
- August 16, 2012, Regular Quarterly Board Meeting Minutes (**See agenda item #4**)
- Administrative Reports and Outstanding Administrative Penalties and Dismissed Cases, Cease and Desist Order, Agreements, Injunctions/Default Judgments (**See agenda item #21**)
- Licensing Applications. (**See agenda item #26**)

**Discuss and Possibly Approve Board Minutes:**

4. **\*(Consent Agenda)** Discuss and possibly approve minutes of the August 16, 2012, Regular Quarterly Board Meeting Minutes ..... G. Kemble Bennett, Ph.D., P.E.

**Discuss and Possibly Accept Committee Minutes:** ..... G. Kemble Bennett, Ph.D., P.E.

5. **\*(Consent Agenda)** June 12, 2012, TBPE/TBAE Task Force Minutes
6. **\*(Consent Agenda)** August 15, 2012, Licensing Committee Minutes
7. **\*(Consent Agenda)** August 16, 2012, Policy Advisory Opinion Committee Minutes
8. **\*(Consent Agenda)** August 16, 2012, Legislative Issues Committee Minutes
9. **\*(Consent Agenda)** August 16, 2012, Enforcement Committee Minutes
10. **\*(Consent Agenda)** August 16, 2012, Nominating Committee Minutes
11. **\*(Consent Agenda)** August 16, 2012, General Issues Committee Minutes

**Discuss and Possibly Act on the following agenda items (11-15):**

12. Board Members' Activity Reports ..... G. Kemble Bennett, Ph.D., P.E.

*(Report)*

- Bennett
- Baker
- Ballí
- Greer
- Kannappan
- Raba
- Reyna
- Summers
- Wong

13. Emeritus Members' Activity Reports..... G. Kemble Bennett, Ph.D., P.E.  
*(Report)*
- Gonzalez
  - Guerra
  - Nadkarni
14. Budget..... Jeff Mutscher, Finance Director
- FY12 4<sup>th</sup> Quarter Budget Report  
*(Report)*
  - Annual Financial Report (AFR)  
*(Report)*
  - 2013 Internal Audit Plan  
*(Motion required)*
15. Performance Measures..... David Howell, P.E.  
*(Report)*
- Discuss and Possibly Act on Issues Regarding Committee Reports or Items on the Committee Agendas:**
16. Legislative Committee..... James "Jim" Greer, P.E., Chair
17. Enforcement Committee..... Daniel Wong, Ph.D., P.E., Chair
- Discuss and possibly act on the following rule adoptions:  
*(Motion Required)*
    - §137.7 License Expiration and Renewal
    - §137.31 Seal Specifications
    - §137.37 Sealing Misconduct
    - §137.65 Action in Another Jurisdiction
  - Staff Attorney Reports..... Dewey Helmcamp, III JD  
*(No action required)*
18. General Issues Committee..... Jim Greer, P.E.
19. Licensing Committee ..... Bobby Ballí, P.E.
- Personal Appearances from Licensing Applicants  
*(Motion required on all personal interviews)*

**Discuss and Possibly Act on Reports or Items reported by the Executive Director:**

20. Executive Director's Report..... Lance Kinney, P.E.  
*(Report)*
- Activity Report
  - Update on Hemphill Public Comment
  - Engineers & Architects update
  - Windstorm Inspection Update
  - NCEES August 2012 Annual Meeting Update
  - Journey Toward Excellence
    - Staff Development Day
  - Strategic Plan Update
  - Sunset Review Update
  - Outreach
    - Kudos

**Discuss and Possibly Act on Enforcement/Disciplinary Matters:**

21. **\*(Consent Agenda)** Administrative Reports, Outstanding Administrative Penalties Dismissed Cases, Cease and Desist Order, Agreements, Injunctions/Default Judgments .....C.W. Clark, P.E.
- Engineering Roof, LLC
22. Bryan Martin – D-33900 - Revocation based on Incarceration

23. Agreed Board Order..... Dewey Helmcamp, III J.D./  
*(Motion)* C.W. Clark, P.E.  
 1. D-33570 (Wong)  
 2. D-33332 (Wong)  
 3. David A. Baggs, P.E., D-33366 (Wong)
24. Consent Orders ..... C.W. Clark, P.E.  
*(Motion)*  
SOAH Result  
 (None)  
Informal Reprimands (In accordance with Board Rule 139.31(b) individual names are not listed)  
 (None)  
Practice Violations  
 4. Carl Mattern, Jr., P.E. – D-33367  
 5. Michael C. Rothmann, P.E. – D-33365  
Non-Practice Violations  
 6. Larry W. Lang, P.E., D-33489 (Surrender)  
Sanctions Against Non-License Holders  
 (None)  
Firm Registrations/Sole Proprietorship Sanctions  
 7. OJD Engineering, LP, B-33759  
 8. Rey Engineering, B-33736

**Discuss and Possibly Act on personal appearance for reconsideration of denial of application:**

25. Larry Fabian ..... David Howell, P.E.

**Discuss and Possibly Act on Licensing Applications requiring board ruling:**


26. **\*([Consent Agenda])** Licensing Applications.....David Howell, P.E.  
 Vote or Reconfirm Votes Pursuant to Board Rule §133.87:  
*(Motion)*  
     Approved for Licensure  
     Not Approved for Licensure  
     Waivers – Both  
     Waivers – FE  
     Waivers—PE  
     Approved for Exams  
     Exams not Approved  
     Firms Approved

**Discuss and Possibly Act on Other Matters**

27. Issues from Board members for future meetings.....G. Kemble Bennett, Ph.D., P.E.  
 28. Future TBPE meeting dates .....G. Kemble Bennett, Ph.D., P.E.  
     • 2013 Meeting dates

**Adjourn.**

The Board may meet in closed session on any agenda item listed above as authorized by the Texas Open Meetings Act, Tex. Gov't. Code Ann. Chapter 551.

 Individuals needing special accommodation should contact the Texas Board of Professional Engineers at (512) 440-7723, in a timely manner.